

Senate File 427

S-3085

1 Amend the amendment, S-3079, to Senate File 427 as
2 follows:
3 1. By striking page 1, line 1, through page 15,
4 line 23, and inserting:
5 <Amend Senate File 427 as follows:
6 1. By striking everything after the enacting clause
7 and inserting:
8 <Section 1. Section 724.1, subsection 1, paragraph
9 h, Code 2015, is amended by striking the paragraph.
10 Sec. 2. NEW SECTION. 724.1A Firearm suppressors
11 — certification.
12 1. As used in this section, unless the context
13 otherwise requires:
14 a. "*Certification*" means the participation and
15 assent of the chief law enforcement officer of the
16 jurisdiction where the applicant resides or maintains
17 an address of record, that is necessary under federal
18 law for the approval of an application to make or
19 transfer a firearm suppressor.
20 b. "*Chief law enforcement officer*" means the county
21 sheriff, chief of police, or the designee of such
22 official, that the federal bureau of alcohol, tobacco,
23 firearms and explosives, or any successor agency, has
24 identified by regulation or has determined is otherwise
25 eligible to provide any required certification for
26 making or transferring a firearm suppressor.
27 c. "*Firearm suppressor*" means a mechanical device
28 specifically constructed and designed so that when
29 attached to a firearm silences, muffles, or suppresses
30 the sound when fired that is considered a "*firearm*
31 *silencer*" or "*firearm muffler*" as defined in 18 U.S.C.
32 §921.
33 2. a. A chief law enforcement officer is not
34 required to make any certification under this section
35 the chief law enforcement officer knows to be false,
36 but the chief law enforcement officer shall not
37 refuse, based on a generalized objection, to issue a
38 certification to make or transfer a firearm suppressor.
39 b. When the certification of the chief law
40 enforcement officer is required by federal law or
41 regulation for making or transferring a firearm
42 suppressor, the chief law enforcement officer
43 shall, within thirty days of receipt of a request
44 for certification, issue such certification if the
45 applicant is not prohibited by law from making or
46 transferring a firearm suppressor or is not the subject
47 of a proceeding that could result in the applicant
48 being prohibited by law from making or transferring
49 the firearm suppressor. If the chief law enforcement
50 officer does not issue a certification as required by

1 this section, the chief law enforcement officer shall
2 provide the applicant with a written notification of
3 the denial and the reason for the denial.

4 c. A certification that has been approved under
5 this section grants the person the authority to make
6 or transfer a firearm suppressor as provided by state
7 and federal law.

8 3. An applicant whose request for certification
9 is denied may appeal the decision of the chief law
10 enforcement officer to the district court for the
11 county in which the applicant resides or maintains
12 an address of record. The court shall review the
13 decision of the chief law enforcement officer to deny
14 the certification de novo. If the court finds that
15 the applicant is not prohibited by law from making
16 or transferring the firearm suppressor, or is not the
17 subject of a proceeding that could result in such
18 prohibition, or that no substantial evidence supports
19 the decision of the chief law enforcement officer, the
20 court shall order the chief law enforcement officer
21 to issue the certification and award court costs and
22 reasonable attorney fees to the applicant. If the
23 court determines the applicant is not eligible to be
24 issued a certification, the court shall award court
25 costs and reasonable attorney fees to the political
26 subdivision of the state representing the chief law
27 enforcement officer.

28 4. In making a determination about whether to
29 issue a certification under subsection 2, a chief law
30 enforcement officer may conduct a criminal background
31 check, including an inquiry of the national instant
32 criminal background check system maintained by the
33 federal bureau of investigation or any successor
34 agency, but shall only require the applicant provide
35 as much information as is necessary to identify
36 the applicant for this purpose or to determine the
37 disposition of an arrest or proceeding relevant to the
38 eligibility of the applicant to lawfully possess or
39 receive a firearm suppressor. A chief law enforcement
40 officer shall not require access to or consent
41 to inspect any private premises as a condition of
42 providing a certification under this section.

43 5. A chief law enforcement officer and employees
44 of the chief law enforcement officer who act in good
45 faith are immune from liability arising from any act or
46 omission in making a certification as required by this
47 section.

48 **Sec. 3. NEW SECTION. 724.1B Firearm suppressors**
49 **— penalty.**

50 1. A person shall not possess a firearm suppressor

1 in this state if such possession is knowingly in
2 violation of federal law.

3 2. A person who possesses a firearm suppressor in
4 violation of subsection 1 commits a class "D" felony.

5 Sec. 4. Section 724.4, subsection 4, paragraph i,
6 Code 2015, is amended to read as follows:

7 i. (1) A person who has in the person's immediate
8 possession and who displays to a peace officer on
9 demand a valid permit to carry weapons which has been
10 issued to the person, and whose conduct is within the
11 limits of that permit. A peace officer shall verify
12 through electronic means, if possible, the validity of
13 the person's permit to carry weapons.

14 (2) A person commits a simple misdemeanor
15 punishable as a scheduled violation pursuant to section
16 805.8C, subsection 11, if the person does not have in
17 the person's immediate possession a valid permit to
18 carry weapons which has been issued to the person.

19 (3) A Except as provided subparagraph (2), a
20 person shall not be convicted of a violation of this
21 section if the person produces at the person's trial a
22 permit to carry weapons which was valid at the time of
23 the alleged offense and which would have brought the
24 person's conduct within this exception if the permit
25 had been produced at the time of the alleged offense.

26 Sec. 5. Section 724.4B, subsection 2, paragraph a,
27 Code 2015, is amended to read as follows:

28 a. A person listed under section 724.4, subsection
29 4, paragraphs "b" through "f" or "j", or a certified
30 peace officer as specified in section 724.6, subsection
31 1.

32 Sec. 6. Section 724.5, Code 2015, is amended to
33 read as follows:

34 **724.5 Duty to carry or verify permit to carry**
35 **weapons.**

36 1. A person armed with a revolver, pistol, or
37 pocket billy concealed upon the person shall have in
38 the person's immediate possession the permit provided
39 for in section 724.4, subsection 4, paragraph "i", and
40 shall produce the permit for inspection at the request
41 of a peace officer.

42 2. A peace officer shall verify through electronic
43 means, if possible, the validity of the person's permit
44 to carry weapons.

45 3. Failure to so produce a permit is a simple
46 misdemeanor, punishable as a scheduled violation
47 pursuant to section 805.8C, subsection 12.

48 Sec. 7. Section 724.6, subsection 1, Code 2015, is
49 amended to read as follows:

50 1. A person may be issued a permit to carry weapons

1 when the person's employment in a private investigation
2 business or private security business licensed under
3 chapter 80A, or a person's employment as a peace
4 officer, correctional officer, security guard, bank
5 messenger or other person transporting property of a
6 value requiring security, or in police work, reasonably
7 justifies that person going armed. The permit shall be
8 on a form prescribed and published by the commissioner
9 of public safety, shall identify the holder, and
10 shall state the nature of the employment requiring the
11 holder to go armed. A permit so issued, other than to
12 a peace officer, shall authorize the person to whom
13 it is issued to go armed anywhere in the state, only
14 while engaged in the employment, and while going to and
15 from the place of the employment. A permit issued to
16 a certified peace officer shall authorize that peace
17 officer to go armed anywhere in the state, including
18 a school as provided in section 724.4B, at all times.
19 Permits shall expire twelve months after the date when
20 issued except that permits issued to peace officers and
21 correctional officers are valid through the officer's
22 period of employment unless otherwise canceled. When
23 the employment is terminated, the holder of the
24 permit shall surrender it to the issuing officer for
25 cancellation.

26 Sec. 8. Section 724.7, subsection 1, Code 2015, is
27 amended to read as follows:

28 1. Any person who is not disqualified under
29 section 724.8, who satisfies the training requirements
30 of section 724.9, if applicable, and who files an
31 application in accordance with section 724.10 shall be
32 issued a nonprofessional permit to carry weapons. Such
33 permits shall be on a form prescribed and published
34 by the commissioner of public safety, which shall be
35 readily distinguishable from the professional permit,
36 and shall identify the holder of the permit. Such
37 permits shall not be issued for a particular weapon
38 and shall not contain information about a particular
39 weapon including the make, model, or serial number of
40 the weapon or any ammunition used in that weapon. All
41 permits so issued shall be for a period of five years
42 and shall be valid throughout the state except where
43 the possession or carrying of a firearm is prohibited
44 by state or federal law.

45 Sec. 9. Section 724.9, Code 2015, is amended by
46 adding the following new subsection:

47 NEW SUBSECTION. 1A. The handgun safety training
48 course required in subsection 1 may be conducted
49 over the internet in a live or web-based format, if
50 completion of the course is verified by the instructor

1 or provider of the course.

2 Sec. 10. Section 724.11, subsections 1 and 3, Code
3 2015, are amended to read as follows:

4 1. a. Applications for permits to carry weapons
5 shall be made to the sheriff of the county in which
6 the applicant resides. Applications for professional
7 permits to carry weapons for persons who are
8 nonresidents of the state, or whose need to go armed
9 arises out of employment by the state, shall be made
10 to the commissioner of public safety. In either case,
11 the sheriff or commissioner, before issuing the permit,
12 shall determine that the requirements of sections 724.6
13 to 724.10 have been satisfied. However, ~~for renewal of~~
14 ~~a permit~~ the training program requirements in section
15 724.9, subsection 1, do not apply to an applicant
16 who is able to demonstrate completion of small arms
17 training as specified in section 724.9, subsection 1,
18 paragraph "d". For all other applicants the training
19 program requirements of section 724.9, subsection 1,
20 must be satisfied within the twenty-four-month period
21 prior to the date of the application for the issuance
22 of a permit.

23 b. (1) Prior to issuing a renewal, the sheriff
24 or commissioner shall determine the requirements of
25 sections 724.6, 724.7, 724.8, and 724.10 and either of
26 the following, as applicable, have been satisfied:

27 (a) Beginning with the first renewal of a permit
28 issued after the calendar year 2010, and alternating
29 renewals thereafter, if a renewal applicant applies
30 within thirty days prior to the expiration of the
31 permit or within thirty days after expiration of the
32 permit, the training program requirements of section
33 724.9, subsection 1, do not apply.

34 (b) Beginning with the second renewal of a permit
35 issued after the calendar year 2010, and alternating
36 renewals thereafter, if a renewal applicant applies
37 within thirty days prior to the expiration of the
38 permit or within thirty days after expiration of the
39 permit, a renewal applicant shall qualify for renewal
40 by taking an online training course certified by the
41 national rifle association or the Iowa law enforcement
42 academy, and the training program requirements of
43 section 724.9, subsection 1, do not apply.

44 (2) If any renewal applicant applies more than
45 thirty days after the expiration of the permit, the
46 permit requirements of paragraph "a" apply to the
47 applicant, and any subsequent renewal of this permit
48 shall be considered a first renewal for purposes
49 of subparagraph (1). However, the training program
50 requirements of section 724.9, subsection 1, do not

1 apply to an applicant who is able to demonstrate
2 completion of small arms training as specified in
3 section 724.9, subsection 1, paragraph "d". For all
4 other applicants, in lieu of the training program
5 requirements of section 724.9, subsection 1, the
6 renewal applicant may choose to qualify on a firing
7 range under the supervision of an instructor certified
8 by the national rifle association or the department of
9 public safety or another state's department of public
10 safety, state police department, or similar certifying
11 body.

12 (3) As an alternative to subparagraph (1), and if
13 the requirements of sections 724.6, 724.7, 724.8, and
14 724.10 have been satisfied, a renewal applicant may
15 choose to qualify, at any renewal, under the training
16 program requirements in section 724.9, subsection 1,
17 shall apply or the renewal applicant may choose to
18 qualify on a firing range under the supervision of an
19 instructor certified by the national rifle association
20 or the department of public safety or another
21 state's department of public safety, state police
22 department, or similar certifying body. Such training
23 or qualification must occur within the ~~twelve-month~~
24 twenty-four-month period prior to the expiration
25 of the applicant's current permit, except that the
26 twenty-four-month time period limitation for training
27 or qualification does not apply to an applicant who is
28 able to demonstrate completion of small arms training
29 as specified in section 724.9, subsection 1, paragraph
30 "d".

31 3. The issuing officer shall collect a fee of fifty
32 dollars, except from a duly appointed peace officer or
33 correctional officer, for each permit issued. Renewal
34 permits or duplicate permits shall be issued for a fee
35 of twenty-five dollars, provided the application for
36 such renewal permit is received by the issuing officer
37 at least within thirty days prior to the expiration
38 of the applicant's current permit or within thirty
39 days after such expiration. The issuing officer
40 shall notify the commissioner of public safety of the
41 issuance of any permit at least monthly and forward to
42 the commissioner an amount equal to ten dollars for
43 each permit issued and five dollars for each renewal
44 or duplicate permit issued. All such fees received
45 by the commissioner shall be paid to the treasurer
46 of state and deposited in the operating account of
47 the department of public safety to offset the cost of
48 administering this chapter. Notwithstanding section
49 8.33, any unspent balance as of June 30 of each year
50 shall not revert to the general fund of the state.

1 Sec. 11. Section 724.11, Code 2015, is amended by
2 adding the following new subsection:
3 **NEW SUBSECTION. 5.** The initial or renewal permit
4 shall have a uniform appearance, size, and content
5 prescribed and published by the commissioner of public
6 safety. The permit shall contain the name of the
7 permittee and the effective date of the permit, but
8 shall not contain the permittee's social security
9 number. Such a permit shall not be issued for a
10 particular weapon and shall not contain information
11 about a particular weapon including the make, model,
12 or serial number of the weapon, or any ammunition used
13 in that weapon.

14 Sec. 12. Section 724.11A, Code 2015, is amended to
15 read as follows:

16 **724.11A Recognition.**

17 A valid permit or license issued by another state to
18 any nonresident of this state shall be considered to
19 be a valid permit or license to carry weapons issued
20 pursuant to this chapter, except that such permit or
21 license shall not be considered to be a substitute for
22 ~~an annual~~ a permit to acquire ~~pistols or revolvers~~
23 firearms issued pursuant to section 724.15.

24 Sec. 13. Section 724.15, Code 2015, is amended by
25 striking the section and inserting in lieu thereof the
26 following:

27 **724.15 Optional permit to acquire firearms.**

28 1. It is the purpose of this section to provide
29 for a permit to acquire firearms that will satisfy
30 the requirements of 18 U.S.C. §922(t)(3) to allow the
31 holder of such a permit to acquire firearms from a
32 federally licensed firearms dealer. A person is not
33 required to obtain a permit to acquire firearms under
34 this section if the person possesses a valid permit to
35 carry weapons issued in accordance with this chapter or
36 if the person has otherwise completed a satisfactory
37 national instant criminal background check required
38 pursuant to 18 U.S.C. §922(t).

39 2. A person may obtain a permit to acquire firearms
40 pursuant to this section. However, a permit to acquire
41 firearms shall not be issued to a person who is subject
42 to any of the following:

43 a. Is under twenty-one years of age.

44 b. Is prohibited by section 724.26 or federal law
45 from possessing, shipping, transporting, or receiving a
46 firearm.

47 c. Is prohibited by court order from possessing,
48 shipping, transporting, or receiving a firearm.

49 3. A permit to acquire firearms shall authorize the
50 permit holder to acquire one or more firearms, without

1 limitation, from a federally licensed firearms dealer
2 during the period the permit remains valid pursuant to
3 section 724.20.

4 4. An issuing officer who finds that a person
5 issued a permit to acquire firearms under this chapter
6 has been arrested for a disqualifying offense or who
7 is the subject of proceedings that could lead to the
8 person's ineligibility for such permit may immediately
9 suspend such permit. An issuing officer proceeding
10 under this subsection shall immediately notify the
11 permit holder of the suspension by personal service or
12 certified mail on a form prescribed and published by
13 the commissioner of public safety and the suspension
14 shall become effective upon the permit holder's
15 receipt of such notice. If the suspension is based
16 on an arrest or a proceeding that does not result in
17 a disqualifying conviction or finding against the
18 permit holder, the issuing officer shall immediately
19 reinstate the permit upon receipt of proof of the
20 matter's final disposition. If the arrest leads to
21 a disqualifying conviction or the proceedings to a
22 disqualifying finding, the issuing officer shall revoke
23 the permit. The issuing officer may also revoke the
24 permit of a person whom the issuing officer later finds
25 was not qualified for such a permit at the time of
26 issuance or who the officer finds provided materially
27 false information on the permit application. A person
28 aggrieved by a suspension or revocation under this
29 subsection may seek review of the decision pursuant to
30 section 724.21A.

31 Sec. 14. Section 724.16, Code 2015, is amended by
32 striking the section and inserting in lieu thereof the
33 following:

34 **724.16 Prohibited transfers of firearms.**

35 1. A person shall not transfer a firearm to another
36 person if the person knows or reasonably should know
37 that the other person is prohibited from receiving or
38 possessing a firearm under section 724.26 or federal
39 law.

40 2. A person shall not loan or rent a firearm
41 to another person for temporary use during lawful
42 activities if the person knows or reasonably should
43 know that the person is prohibited from receiving or
44 possessing a firearm under section 724.26 or federal
45 law.

46 3. A person who transfers, loans, or rents a
47 firearm in violation of this section commits a class
48 "D" felony.

49 Sec. 15. Section 724.17, Code 2015, is amended to
50 read as follows:

1 **724.17 Application for annual permit to acquire**
2 **firearms — criminal history check required.**

3 1. ~~The application for an annual a permit to~~
4 ~~acquire pistols or revolvers~~ firearms may be made to
5 the sheriff of the county of the applicant's residence
6 and shall be on a form prescribed and published by the
7 commissioner of public safety.

8 a. The If an applicant is a United States citizen,
9 the application shall require only the full name of
10 the applicant, the driver's license or nonoperator's
11 identification card number of the applicant, the
12 residence of the applicant, and the date and place of
13 birth of the applicant.

14 b. If the applicant is not a United States citizen,
15 the application shall, in addition to the information
16 specified in paragraph "a", require the applicant's
17 country of citizenship, any alien or admission
18 number issued by the United States immigration and
19 customs enforcement or any successor agency, and,
20 if applicable, the basis for any exception claimed
21 pursuant to 18 U.S.C. §922(y).

22 c. The applicant shall also display an
23 identification card that bears a distinguishing number
24 assigned to the cardholder, the full name, date of
25 birth, sex, residence address, and brief description
26 and colored photograph of the cardholder, or other
27 identification as specified by rule of the department
28 of public safety.

29 2. The sheriff shall conduct a criminal history
30 check concerning each applicant by obtaining criminal
31 history data from the department of public safety
32 which shall include an inquiry of the national instant
33 criminal background check system maintained by the
34 federal bureau of investigation or any successor agency
35 and an immigration alien query through a database
36 maintained by the United States immigration and customs
37 enforcement or any successor agency if the applicant is
38 not a United States citizen.

39 3. A person who makes what the person knows to be
40 a false statement of material fact on an application
41 submitted under this section or who submits what the
42 person knows to be any materially falsified or forged
43 documentation in connection with such an application
44 commits a class "D" felony.

45 Sec. 16. Section 724.18, Code 2015, is amended by
46 striking the section and inserting in lieu thereof the
47 following:

48 **724.18 Procedure for making application for permit**
49 **to acquire firearms.**

50 1. A person may personally request the sheriff to

1 mail an application for a permit to acquire firearms,
2 and the sheriff shall immediately forward such
3 application to the person. The person shall personally
4 deliver such a completed application to the sheriff
5 who, upon successful completion of the criminal history
6 check and immigration alien query, if applicable,
7 required pursuant to section 724.17, shall note the
8 period of validity on the application and immediately
9 issue the permit to the applicant.

10 2. For the purposes of this section, the date of
11 application shall be the date on which the sheriff
12 received the completed application.

13 Sec. 17. Section 724.19, Code 2015, is amended to
14 read as follows:

15 **724.19 Issuance of ~~annual~~ permit to acquire**
16 **firearms.**

17 ~~The annual permit to acquire pistols or revolvers~~
18 ~~firearms~~ shall be issued to the applicant immediately
19 upon completion of the application unless the applicant
20 is disqualified under the provisions of section 724.15
21 ~~and. The permit shall be on a form have a uniform~~
22 ~~appearance, size, and content prescribed and published~~
23 ~~by the commissioner of public safety. The permit shall~~
24 ~~contain the name of the permittee, the residence of~~
25 ~~the permittee, and the effective date of the permit,~~
26 ~~but shall not contain the permittee's social security~~
27 ~~number. Such a permit shall not be issued for a~~
28 ~~particular weapon and shall not contain information~~
29 ~~about a particular weapon including the make, model,~~
30 ~~or serial number of the weapon, or any ammunition used~~
31 ~~in that weapon.~~

32 Sec. 18. Section 724.20, Code 2015, is amended to
33 read as follows:

34 **724.20 Validity of ~~annual~~ permit to acquire pistols**
35 **~~or revolvers~~ firearms.**

36 The permit shall be valid throughout the state and
37 shall be ~~valid three days after the date of application~~
38 ~~and shall be invalid one year~~ five years after the date
39 of application issuance.

40 Sec. 19. Section 724.21, Code 2015, is amended to
41 read as follows:

42 **724.21 Giving false information when acquiring**
43 **~~weapon~~ firearms.**

44 A person who gives a false name or presents false
45 identification, or otherwise knowingly gives false
46 material information to one from whom the person seeks
47 to acquire a ~~pistol or revolver~~ firearm, commits a
48 class "D" felony.

49 Sec. 20. Section 724.21A, subsections 1 and 7, Code
50 2015, are amended to read as follows:

1 1. In any case where the sheriff or the
2 commissioner of public safety denies an application
3 for or suspends or revokes a permit to carry weapons
4 or ~~an annual a~~ permit to acquire ~~pistols or revolvers~~
5 firearms, the sheriff or commissioner shall provide
6 a written statement of the reasons for the denial,
7 suspension, or revocation and the applicant or permit
8 holder shall have the right to appeal the denial,
9 suspension, or revocation to an administrative law
10 judge in the department of inspections and appeals
11 within thirty days of receiving written notice of the
12 denial, suspension, or revocation.

13 7. In any case where the issuing officer denies
14 an application for, or suspends or revokes a permit
15 to carry weapons or ~~an annual a~~ permit to acquire
16 ~~pistols or revolvers~~ firearms solely because of an
17 adverse determination by the national instant criminal
18 background check system, the applicant or permit holder
19 shall not seek relief under this section but may pursue
20 relief of the national instant criminal background
21 check system determination pursuant to Pub. L. No.
22 103-159, sections 103(f) and (g) and 104 and 28 C.F.R.
23 §25.10, or other applicable law. The outcome of such
24 proceedings shall be binding on the issuing officer.

25 Sec. 21. Section 724.21A, Code 2015, is amended by
26 adding the following new subsection:

27 NEW SUBSECTION. 8. If an applicant appeals the
28 decision by the sheriff or commissioner to deny an
29 application, or suspend or revoke a permit to carry
30 weapons or a permit to acquire firearms, and it is
31 later determined the applicant is eligible to be
32 issued or possess such a permit, the applicant shall be
33 awarded court costs and reasonable attorney fees. If
34 the decision of the sheriff or commission to deny the
35 application, or suspend or revoke the permit is upheld
36 on appeal, the political subdivision of the state
37 representing the sheriff or the commissioner shall be
38 awarded court costs and reasonable attorney fees.

39 Sec. 22. Section 724.22, subsection 5, Code 2015,
40 is amended to read as follows:

41 5. A parent or guardian or spouse who is twenty-one
42 years of age or older, of a person ~~fourteen years of~~
43 ~~age but less than~~ below the age of twenty-one may
44 allow the person to possess a pistol or revolver or
45 the ammunition therefor for any lawful purpose while
46 under the direct supervision of the parent or guardian
47 or spouse who is twenty-one years of age or older, or
48 while the person receives instruction in the proper use
49 thereof from an instructor twenty-one years of age or
50 older, with the consent of such parent, guardian or

1 spouse.
2 Sec. 23. Section 724.23, Code 2015, is amended to
3 read as follows:
4 **724.23 Records kept by commissioner and issuing**
5 **officers.**
6 1. a. The commissioner of public safety shall
7 maintain a permanent record of all valid permits to
8 carry weapons and of current permit revocations.
9 b. The permanent record shall be kept in a
10 searchable database that is accessible on a statewide
11 basis for the circumstances described in subsection 2,
12 paragraph "b", "c", or "d".
13 2. a. Notwithstanding any other law or rule to
14 the contrary, the commissioner of public safety and
15 any issuing officer shall keep confidential personally
16 identifiable information of holders of nonprofessional
17 permits to carry weapons and permits to acquire
18 firearms, including but not limited to the name, social
19 security number, date of birth, residential or business
20 address, and driver's license or other identification
21 number of the applicant or permit holder.
22 b. This subsection shall not prohibit the
23 release of statistical information relating to the
24 issuance, denial, revocation, or administration of
25 nonprofessional permits to carry weapons and permits
26 to acquire firearms, provided that the release of
27 such information does not reveal the identity of any
28 individual permit holder.
29 c. This subsection shall not prohibit the release
30 of information to any law enforcement agency or any
31 employee or agent thereof when necessary for the
32 purpose of investigating a possible violation of law
33 and probable cause exists, or for conducting a lawfully
34 authorized background investigation.
35 d. This subsection shall not prohibit the
36 release of information relating to the validity of a
37 professional permit to carry weapons to an employer who
38 requires an employee or an agent of the employer to
39 possess a professional permit to carry weapons as part
40 of the duties of the employee or agent.
41 e. Except as provided in paragraphs "b", "c", and
42 "d", the release of any confidential information under
43 this section shall require a court order or the consent
44 of the person whose personally identifiable information
45 is the subject of the information request.
46 Sec. 24. Section 724.27, subsection 1, unnumbered
47 paragraph 1, Code 2015, is amended to read as follows:
48 The provisions of section 724.8, section 724.15,
49 subsection 1 2, and section 724.26 shall not apply to
50 a person who is eligible to have the person's civil

1 rights regarding firearms restored under section 914.7
2 if any of the following occur:

3 Sec. 25. NEW SECTION. 724.29A **Fraudulent purchase**
4 **of firearms or ammunition.**

5 1. For purposes of this section:

6 a. "*Ammunition*" means any cartridge, shell, or
7 projectile designed for use in a firearm.

8 b. "*Licensed firearms dealer*" means a person who is
9 licensed pursuant to 18 U.S.C. §923 to engage in the
10 business of dealing in firearms.

11 c. "*Materially false information*" means information
12 that portrays an illegal transaction as legal or a
13 legal transaction as illegal.

14 d. "*Private seller*" means a person who sells or
15 offers for sale any firearm or ammunition.

16 2. A person who knowingly solicits, persuades,
17 encourages, or entices a licensed firearms dealer or
18 private seller of firearms or ammunition to transfer
19 a firearm or ammunition under circumstances that the
20 person knows would violate the laws of this state or of
21 the United States commits a class "D" felony.

22 3. A person who knowingly provides materially
23 false information to a licensed firearms dealer or
24 private seller of firearms or ammunition with the
25 intent to deceive the firearms dealer or seller about
26 the legality of a transfer of a firearm or ammunition
27 commits a class "D" felony.

28 4. Any person who willfully procures another to
29 engage in conduct prohibited by this section shall be
30 held accountable as a principal.

31 5. This section does not apply to a law enforcement
32 officer acting in the officer's official capacity
33 or to a person acting at the direction of such law
34 enforcement officer.

35 Sec. 26. NEW SECTION. 724.32 **Rules.**

36 The department of public safety shall adopt rules
37 pursuant to chapter 17A to administer this chapter.

38 Sec. 27. Section 805.8C, Code 2015, is amended by
39 adding the following new subsections:

40 NEW SUBSECTION. 11. *Duty to possess permit to carry*
41 *weapons.* For violations of section 724.4, subsection
42 4, paragraph "i", subparagraph (2), the scheduled fine
43 is ten dollars.

44 NEW SUBSECTION. 12. *Failure to produce permit to*
45 *carry.* For violations of section 724.5, the scheduled
46 fine is ten dollars.

47 Sec. 28. **EFFECTIVE UPON ENACTMENT.** The following
48 provision or provisions of this Act, being deemed of
49 immediate importance, take effect upon enactment:

50 1. The section of this Act amending section 724.1,

1 subsection 1, paragraph "h".
2 2. The section of this Act enacting new section
3 724.1A.
4 3. The section of this Act amending section 724.22.
5 4. The section of this Act amending section 724.23,
6 subsection 2.
7 5. The section of this Act amending section
8 724.29A.
9 6. The applicability section of this Act.
10 Sec. 29. APPLICABILITY. The section of this
11 Act amending section 724.23 applies to holders of
12 nonprofessional permits to carry weapons and permits to
13 acquire firearms and to applicants for nonprofessional
14 permits to carry weapons and permits to acquire
15 firearms on or after the effective date of that section
16 of this Act.>
17 2. Title page, line 2, by striking <and providing
18 penalties> and inserting <providing penalties, and
19 including effective date and applicability provisions>>

CHARLES SCHNEIDER